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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/766,020	01/18/2001	Ji Zhang	CISCP158/3179	8083
22434	7590	02/03/2006	EXAMINER	
BEYER WEAVER & THOMAS LLP			AN, SHAWN S	
P.O. BOX 70250			ART UNIT	
OAKLAND, CA 94612-0250			PAPER NUMBER	

2613

DATE MAILED: 02/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/766,020	Applicant(s) ZHANG ET AL.	
	Examiner Shawn S. An	Art Unit 2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-8 and 11-31 is/are pending in the application.
- 4a) Of the above claim(s) 16-25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-8,11-15 and 26-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. As per Applicants' instruction as filed on 11/22/05, claims 1, 4, 6-7, 26, and 30-31 have been amended, claims 2 and 9-10 have been canceled, and claims 16-25 have been withdrawn.

Response to Remarks

2. Applicants' arguments with respect to amended claims have been carefully considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3-8, 11-13, 15, and 26-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Haskell et al (5,687,095).

Regarding claims 1, 3, 26-28, and 30, Haskell et al discloses a system/method/software (Fig. 6; col. 11, lines 1-4) for converting the bit rate of a compressed bitstream, the system/method/software comprising:

means for requantizing (Fig. 1, 107) a first portion (coded/compressed bitstream) of the bitstream containing video data using a first re-quantization scheme, and means for requantizing (107) a second portion (coded/compressed bitstream) of the bitstream containing video data using a second re-quantization scheme that includes full decoding (104) and re-encoding (109) of the second portion (abs.; col. 10, lines 23-57).

Regarding claim 31, Haskell et al discloses an apparatus for converting the bit rate of a compressed bitstream, the apparatus comprising:

memory (Fig. 1, 111), and

a processor (107) coupled to the memory for requantizing a first portion (coded/compressed) of the bitstream containing video data using a first re-quantization scheme, and requantizing a second portion (coded/compressed) of the bitstream containing video data using a second re-quantization scheme that includes full decoding (104) and re-encoding (109) of the second portion (abs.; col. 10, lines 23-57).

Regarding claims 4 and 29, Haskell et al discloses means for performing motion compensated re-quantization (Fig. 7, 107).

Regarding claim 5, Haskell et al discloses determining the available bandwidth of the channel (col. 1, lines 46-48).

Regarding claim 6, Haskell et al discloses full decoding (104) and re-encoding (109) of the second portion.

Regarding claims 7 and 12-13, Haskell et al discloses changing the resolution of the second portion (Fig. 2, CIF, QCIF frames) (Note: chrominance component (U) has only half of the resolution of their luminance components) (e.g., luminance (Yn) component has 288 lines of 352 pixels and chrominance components (U, V) have 144 lines of 176 pixels).

Regarding claim 8, Haskell et al discloses a frame/picture of video data (CIF picture).

Regarding claim 11, Haskell et al discloses the compressed bit stream and the portion including the P frame, wherein the P frame is the last P frame in a GOP (col. 7, lines 22-29).

Regarding claim 15, Haskell et al discloses monitoring load of a processor in a network device (Fig. 8).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Haskell et al (5,687,095) in view of Hamilton (5,617,142).

Regarding claim 14, Haskell et al does not particularly disclose re-quantization scheme being performed in real time. However, Haskell does emphasize an importance of real time communication (coil. 2, lines 47-54).

Furthermore, Hamilton teaches re-quantization scheme being performed in real-time (col. 3, lines 43-57).

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a method for converting the bit rate of a compressed bitstream as taught by Haskell et al to incorporate Hamilton's teaching as above for performing the re-quantization scheme in real time, thereby efficiently controlling the bit-rate without encoding/decoding delay.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and

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any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to *Shawn S An* whose telephone number is 571-272-7324.

9. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**SHAWN AN
PRIMARY EXAMINER**

2/01/06